

On appeal, the appellant states that he accrued applicable experience in various positions in State service, and he provides a resume with his positions, an email string regarding a position in the subject title, a letter regarding his interest in the position, transcripts, and identification. The appellant was informed that qualifying experience has the announced experience requirement as the primary focus of the position, and that his position as President of the Gloucester Township EMS Alliance was not program delivery in programs for the developmentally disabled. As an Emergency Medical Services Technician, he was working with the developmentally disabled, but not in program delivery. An Emergency Medical Services Technician does not deliver programs providing education, habilitative, or social services except on an incidental basis. That is, it was not the primary focus of the position.

The appellant replied that the job specification states that the incumbent does other related duties as required, and has the following note:

The definition and examples of work for this title are for illustrative purposes only. A particular position using this title may not perform all duties listed in this job specification. Conversely, all duties performed on the job may not be listed.

The appellant argues that he performed out-of-title work while an Emergency Medical Services Technician while working for New Lisbon Developmental Center. He states that he was performing such duties as counseling, education, procurement and review of active treatment and incident documentation, monitoring meal times, ensuring a proper diet, and serving on the Emergency Care Committee.

In support, his former supervisor, currently a Supervisor of Nursing, attests that the appellant assisted in the nursing department performing in-title duties such as responding to 911 calls; transporting patients; maintaining equipment, carts, supplies and oxygen; performing training; support of nursing personnel; and direct care. In addition, he had assignments which included meal monitoring; assisting in restraint and de-escalation of clients: "understanding" the habilitation plan process and monitor progress, accountability and compliance of clients, particularly during transport; and documenting and reporting concerns and noncompliance.

The appellant also submits his Performance Assessment Review (PAR) which indicated duties such as coordinating the delivery of client care; assuring safety levels are protected in delivery of services; reporting and documenting, maintaining equipment; adapting behavior to work methods in response to changing conditions, emergencies, new information and shifting priorities; participating and assisting in

the operation of the outpatient clinic providing health services such as maintaining cleanliness, assisting with client care, data entry, phone coverage, and stocking supplies; serving on committees; and providing customer service. Finally, his attaches his resume which lists experience as a Wedding and Event Specialist/Entertainer from July 2003 to the present.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

For experience to be acceptable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). The appellant was deemed to be ineligible for the subject examination since he lacked one year, five months of qualifying experience. A review of his application indicates that this determination is correct. A review of the totality of the appellant's duties reveals that the primary focus of his Emergency Medical Services Technician position was in-title work.

The experience requirement included program delivery experience providing education, habilitative, or social services in programs for the developmentally disabled. This is professional work requiring the application of professional knowledge and abilities, as distinguished from either the desirability of such application or the simple possession of professional knowledge and abilities. Thus, only experience gained after obtaining a Bachelor's degree would be acceptable experience. Acceptable experience can be gained in such titles as Habilitation Plan Coordinator, Social Worker, or Counselor, Vocational Program, Developmental Disabilities, as these are professional titles. Additionally, a program in State government is generally considered to involve a unit responsible for performing projects and activities which are necessary to carry out a purpose or goal set forth in regulations or by law, focusing on a definite activity, providing a service to a specific third party, and generally requiring allocated funding.

An Emergency Medical Services Technician conducts daily medical calls, transports patients, and administers first aid, and the duties submitted by the appellant were, in the majority, in-title. This is not professional experience in program delivery of education, habilitative, or social services. It is noted that duties that fall under the portion of the definition section of the job specification as "related duties as required" or are not listed on the job specification, are, by definition, not the primary focus of the position. The appellant possesses seven months of applicable experience in his position as Habilitation Plan Coordinator as of the April 2018 closing date, and therefore, lacks one year, five months of qualifying experience.

Additionally, *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. Any documentation indicating work in a setting that was not previously listed on an application cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. See *In the Matter of Diana Begley* (MSB, decided November 17, 2004). In this regard, the appellant's additional position submitted on appeal, that of Wedding and Event Specialist/Entertainer, need not be addressed.¹

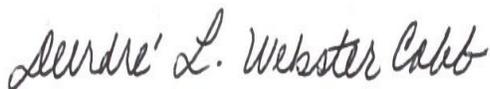
The appellant was denied admittance to the subject examination since he lacked the minimum requirements in experience. An independent review of all material presented indicates that the decision of Agency Services, that the appellant did not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 6th DAY OF MARCH, 2019



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

¹ Even if considered, the duties listed for that position are not applicable to the title under test.

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